



OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

April 16, 2019

Mr. Taylor Amarel
c/o MuckRock
DEPT MR 57437
411A Highland Ave
Somerville, MA 02144-2516

Subject: OIG Freedom of Information Act Request No.2018-IGFO-
 00165
 Final Response

Dear Mr. Amarel:

This responds to your Freedom of Information Act (FOIA) request to the Department of Homeland Security, Office of Privacy (DHS PRIV), dated July 4, 2018 seeking the last 200 pages of emails sent to, from, or copied to dhs-oig.officepublicaffairs@oig.dhs.gov. DHS PRIV referred your request to the Department of Homeland Security (DHS) Office of Inspector General (OIG) for processing and direct response to you. DHS-OIG received that referral on July 9, 2018.

In response to your request, a search of the DHS-OIG Office of Information Technology Division was conducted. That search resulted in the enclosed records responsive to your request. We reviewed the responsive records under the FOIA to determine whether they may be disclosed to you. Based on that review, this office is providing the following:

 41 page(s) are released in full (RIF);
 155 page(s) are released in part (RIP);
 0 page(s) are withheld in full (WIF);
 6 page(s) were referred to another entity.

The exemptions cited for withholding records or portions of records are marked below.

| Freedom of Information Act, 5 U.S.C. § 552 | | | Privacy Act, 5 U.S.C. § 552a |
|--|---|---------------------------------------|-------------------------------------|
| <input type="checkbox"/> 552(b)(1) | <input type="checkbox"/> 552(b)(5) | <input type="checkbox"/> 552(b)(7)(C) | <input type="checkbox"/> 552a(j)(2) |
| <input type="checkbox"/> 552(b)(2) | <input checked="" type="checkbox"/> 552(b)(6) | <input type="checkbox"/> 552(b)(7)(D) | <input type="checkbox"/> 552a(k)(2) |
| <input type="checkbox"/> 552(b)(3) | <input type="checkbox"/> 552(b)(7)(A) | <input type="checkbox"/> 552(b)(7)(E) | <input type="checkbox"/> 552a(k)(5) |

| | | | |
|------------------------------------|---------------------------------------|---------------------------------------|---------------------------------|
| <input type="checkbox"/> 552(b)(4) | <input type="checkbox"/> 552(b)(7)(B) | <input type="checkbox"/> 552(b)(7)(F) | <input type="checkbox"/> Other: |
|------------------------------------|---------------------------------------|---------------------------------------|---------------------------------|

OIG redacted from the enclosed documents, names and identifying information of third parties to protect the identities of these individuals. Absent a Privacy Act waiver, the release of such information concerning the third parties named in these records would result in an unwarranted invasion of personal privacy in violation of the Privacy Act. Information is also protected from disclosure pursuant to Exemptions (b)(6) of the FOIA further discussed below.

Exemption 6, 5 U.S.C. § 552(b)(6)

Exemption 6 allows withholding of “personnel and medical files and *similar files* the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” 5 U.S.C. § 552(b)(6)(emphasis added). DHS-OIG is invoking Exemption 6 to protect: the names of third parties and any information that could reasonably be expected to identify such individuals.]

Referral

Further, 6 pages have been referred to (3 pages) Department of Justice Civil Rights Division (DOJ) & (3 pages) U.S Department of Transportation (DOT). DOJ & DOT will process the records under the FOIA and respond to you directly. Should you wish to contact DOJ & DOT you may write to:

Tink Cooper, Acting Chief
FOIA/PA Branch
Civil Rights Division
Department of Justice
BICN Bldg., Room 3234
950 Pennsylvania Avenue, NW
Washington, DC 20530
Phone: (202) 514-4209
Fax: (202) 514-6195
Email: CRT.FOIArequests@usdoj.gov;

U.S. Dept. of Transportation
Office of the Secretary
Departmental FOIA Office
1200 New Jersey Ave, SE, W94-122
Washington, DC 20590
United States

Phone: 202-366-4542
Fax: 202-366-8536

or you may call.

Appeal

You have the right to appeal this response¹ Your appeal must be in writing and received within 90 days after the date of this response. Please address any appeal to:

FOIA/PA Appeals Unit
DHS-OIG Office of Counsel
Stop 0305
245 Murray Lane, SW
Washington, DC 20528-0305

Both the envelope and letter of appeal must be clearly marked "Freedom of Information Act/Privacy Act Appeal." Your appeal letter must also clearly identify the DHS-OIG's response. Additional information on submitting an appeal is set forth in the DHS regulations at 6 C.F.R. § 5.8.

Assistance and Dispute Resolution Services

Should you need assistance with your request, you may contact DHS-OIG's FOIA Public Liaison. You may also seek dispute resolution services from our FOIA Public Liaison. You may contact DHS-OIG's FOIA Public Liaison in any of the following ways:

FOIA Public Liaison
DHS-OIG Counsel
STOP 0305
245 Murray Lane, SW
Washington, DC 20528-0305
Phone: 202-981-6100
Fax: 202-245-5217
E-mail: foia.oig@oig.dhs.gov

¹ For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Additionally, the 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://ogis.archives.gov>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

If you have any questions about this response, please contact us at 202-981-6100.

Sincerely,

Carlita Blocker
FOIA/PA Disclosure Specialist

Enclosure(s)